

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

David A. Joseph, Sr., :
Plaintiff : Civil Action 2:12-cv-00803
v. : Judge Graham
Licking County, *et al.*, : Magistrate Judge Abel
Defendants :
:

ORDER

This matter is before the Magistrate Judge on plaintiff David A. Joseph, Sr.'s April 1, 2013 motion to compel (doc. 13).

Plaintiff seeks the names and contact information of the individuals, association, partnership, or corporation that owned and/or operated the Licking-Muskingum Community Corrections Center in March 2010 from Licking County. Licking County opposes plaintiff's motion on the grounds that it is not presently a party to this action, and, even if it was, under Fed. R. Civ. P. 26(a)(1)(B)(iv), these proceedings are exempt from initial disclosures. Licking County further argues that plaintiff never served any discovery requests upon it despite his assertion that he has.

Plaintiff David A. Joseph, Sr.'s April 1, 2013 motion to compel (doc. 13) is DENIED. Licking County is not a party to this action. If plaintiff seeks

discovery from an entity not a party to this action, he must comply with Rule 45 of Federal Rule Civil Procedure.

Under the provisions of 28 U.S.C. §636(b)(1)(A), Rule 72(a), Fed. R. Civ. P., and Eastern Division Order No. 91-3, pt. F, 5, either party may, within fourteen (14) days after this Order is filed, file and serve on the opposing party a motion for reconsideration by the District Judge. The motion must specifically designate the Order, or part thereof, in question and the basis for any objection thereto. The District Judge, upon consideration of the motion, shall set aside any part of this Order found to be clearly erroneous or contrary to law.

s/Mark R. Abel
United States Magistrate Judge